

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEONARD C. JEFFERSON,
Plaintiff,

V.

C.A. NO. 04-44 ERIE

WILLIAM WOLFE, the superintendent of
SCI-Albion; JEFFREY A. BEARD, Secretary
of Pennsylvania Department of Corrections;
GLENN MCQUOWN, then Facility Chapel Program
Director; ROBERT BOEH, then Inmate Program
Manager; PATRICIA GAMELE, Unit Counselor;
MICHAEL SNYDER, Unit Counselor; PATRICIA
MCKISSOCK, Unit Manager; TIMOTHY HAMETZ,
then Unit Manager; THOMAS L. JAMES, then
Chief Grievance Coordinator in the Secretary's
Office; SHARON M. BURKS, Chief Grievance
Coordinator in the Secretary's Office; BARRY
LOBDELL, Correctional Officer; C.O. CLEMENT;
IVORY BARNETT, then Misconduct Hearing Examiner;
and, ZACHARY MOSLAK, then Misconduct Hearing
Examiner,

Defendants

PLAINTIFF'S MOTION OPPOSING DEFENDANTS' MOTION
TO DISMISS PLAINTIFF'S THIRD AMENDED COMPLAINT

AND NOW, comes plaintiff, Leonard C. Jefferson, pro se, and respectfully request that this Court deny the Defendants' Motion To Dismiss Plaintiff's Third Amended Complaint for the following reasons:

1. Plaintiff's Third Amended Complaint (Doc # 39) states claims, pursuant to 42 U.S.C. §§ 1981, 1983 & 1985, upon which he is entitled to relief.
2. None of the claims presented in Plaintiff's Third Amended Complaint are barred by the applicable statute of limitations.
3. Plaintiff has sufficiently alleged personal involvement, pursuant to 42 U.S.C. §§ 1981, 1983 & 1985, against all of the defendants in this action to cause all fourteen (14) defendants to be liable in this action.
4. A brief in support is incorporated by reference.

Respectfully submitted

Leonard C. Jefferson

Leonard C. Jefferson, CL-4135
10745 Rt. 18
Albion, PA 16475-0002
December 5, 2005

Clerk's Office
U.S. District Court
P.O. Box 1820
Erie, PA 16507

RE: JEFFERSON V. WOLFE, ET AL., 04-44 ERIE

Dear Clerk:

Please file the enclosed Plaintiff's Motion Opposing Defendants' Motion To Dismiss Plaintiff's Third Amended Complaint, and, Brief In Support of Plaintiff's Motion Opposing Defendants' Motion To Dismiss Plaintiff's Third Amended Complaint.

Thank you for your attention to this matter.

Respectfully

Leonard C. Jefferson

cc/enclosures : CHRISTIAN D. BAREFORD